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January 23, 2006

Mr. Herb Sider  
PO Box 28887  
Las Vegas, Nevada 89126

RE: SDR-10143 – SITE DEVELOPMENT PLAN REVIEW  
CITY COUNCIL MEETING OF JANUARY 18, 2006

Dear Mr. Sider:

The City Council at a regular meeting held January 18, 2006 APPROVED the request for a Site Development Plan Review FOR A 68-STORY MIXED-USE DEVELOPMENT CONSISTING OF 1,011 RESIDENTIAL UNITS AND 9,260 SQUARE FEET OF RETAIL SPACE; AND WAIVERS OF THE DOWNTOWN STREETScape STANDARDS, BUILD-TO-LINE STANDARDS AND STEPBACK STANDARDS on 1.30 acres at 1209 South Third Street (APN 162-03-110-005 through 010), R-4 (High Density Residential) Zone. The Notice of Final Action was filed with the Las Vegas City Clerk on January 19, 2006. This approval is subject to:

Planning and Development

1. This Site Development Plan Review shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by City Council.
2. The parking structure elevations shall be reviewed and approved by the Planning and Development Department staff, prior to the time application is made for a building permit, to ensure that there is adequate façade articulation and visual interest where smooth stucco and woven metal fabric panels over cmu substrate is called out on all building elevations.
3. The proposed water feature shall be subject to Title 14.11.190 Potable or non-potable water utilization.
4. All proposed walls shall be consistent with Title 19 Wall requirements.
5. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City of Las Vegas.

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6. All development shall be in conformance with the site plan and building elevations, date stamped 12/07/05, except as amended by conditions herein.
7. The Waiver from the Downtown Centennial Plan build-to-line requirements is hereby approved, to allow less than seventy percent (70%) of the building streetwall to align along the edge of the sidewalk.
8. The Waiver from the Downtown Centennial Plan building stepback requirement is hereby approved, based on the proposed façade articulation and massing of the building elements.
9. The Waiver from the Downtown Centennial Plan streetscape requirement is hereby approved to allow a reduced sidewalk width of ten feet, and to allow ten palm trees where twelve are required.
10. Prospective buyers shall be informed that views may be obscured by future adjacent development and this information shall be included in project CC&R's.
11. A permanent underground sprinkler system shall be installed in all landscape areas as required by the City of Las Vegas and shall be permanently maintained in a satisfactory manner.
12. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. The landscape plan shall include irrigation specifications.
13. Reflective glazing at the pedestrian level is prohibited. Glazing above the pedestrian level shall be limited to a maximum reflectance of 22% (as defined by the National Institute of Standards and Technology).
14. All mechanical equipment, air conditioners and trash areas shall be fully screened from street level and surrounding building views in accordance with Subsection DS5.1.j of the Downtown Centennial Plan. Service areas shall be screened from pedestrian or street view, utilizing landscaping and/or architectural elements that are consistent with the design and materials of the primary building.
15. Handicap parking spaces shall be provided on-site in conformance with Code requirements.
16. Any new utility of power service line provided to the parcel shall be placed underground from the property line to the point of on-site connection or on-site service panel location, in accordance with Subsection DS2.1.f of the Downtown Centennial Plan.



17. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
18. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
19. The applicant shall file FAA Form 7460-1 (Notice of Proposed Construction or Alteration), and obtain any necessary permits and navigation easements from the Clark County Director of Aviation, as well as any necessary variances from the Airport Hazard Areas Board of Adjustment, prior to construction of this project.
20. Signage for the development shall be permitted in conformance to the Arts District requirements of the Downtown Centennial Plan.
21. All City Code requirements and design standards of all City departments must be satisfied.
22. This development shall not exceed a height of 2,700 feet above Mean Sea Level.

Public Works

23. Coordinate with the Traffic Engineering Division of the Department of Public Works to discuss the proposed Bus Rapid Transit route on 3rd Street adjacent to this site, and how the anticipated modifications to the 3rd street cross-section design will affect this site prior to submittal of construction drawings for this site.
24. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site. Coordinate with the Land Development Section of the Department of Public Works to determine what improvements are substandard. All existing off site improvements damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.
25. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.
26. Show the existing public sewer line and easement along the eastern edge of this site; no building or permanent structure shall encroach into the existing sewer easement. If the existing sewer is to be relocated, an abandonment/relocation plan shall be approved by

the City Engineer prior to submittal of any construction drawings for this site; construction of the relocated sewer line shall be performed and appropriate Vacation applications recorded prior to issuance of any building permits for this building within or overlying the easement area. In addition, extend public oversized public sewer to the southern edge of this site in Third Street from Charleston Boulevard to a location and depth acceptable to the City Engineer; coordinate with the Sanitation Planning Section of the Department of Public Works for an oversized sewer refunding agreement. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.

27. A Homeowners' Association shall be established to maintain all private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
28. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
29. Meet with the Clark County School District to discuss the impact this site plan has on the District's schools, and to identify possible methods to mitigate the impacts.
30. Landscape and maintain all unimproved right-of-way, if any, on Third Street adjacent to this site.
31. Submit an Encroachment Agreement for all landscaping and private improvements, if any, located in the Third Street public right of way adjacent to this site prior to occupancy of this site.
32. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or



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concurrent with the commencement of on site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

33. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage patterns for this site prior to submittal of construction plans, the issuance of any building or grading permits or the submittal of a map subdividing this site, whichever may occur first. Provide and improve all drainage ways as recommended.
34. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map.
35. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of public improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first.

Sincerely,



Ydoleena Yturralde  
Deputy City Clerk II for  
Barbara Jo Ronemus, City Clerk

cc: Planning and Development Dept.  
Development Coordination-DPW  
Dept. of Fire Services

Mr. Richard Layfield  
Renzi Development  
2200 South Dixie Highway, Suite #705  
Coconut Grove, Florida 33133

Mr. Renzo Renzi  
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